

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DEFENDANT'S MOTION TO RENEW DOCKET ENTRIES 43 & 44

WHEREFORE, Defendant Super Fresh, by and through the undersigned counsel hereby moves the Court to renew its consideration of Defendant's previously filed Motion for Summary Judgment and corresponding Opening Brief. (D.I. 43 & 44). Defendant so moves in accordance with the Court's Order dated September 27, 2007, whereby it denied Defendant's Motion for Summary Judgment with leave to renew following the expiration of an extended discovery period, which has now expired. (D.I. 51).

Respectfully submitted,

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Dated: December 7, 2007

CERTIFICATE OF SERVICE

I hereby certify that on **December 7, 2007**, I electronically filed a true and correct copy of the **Defendant's Motion to Renew Docket Entries 43 and 44** with the Clerk of the Court using CM/ECF.

I further certify that on **December 7, 2007**, I served a copy of **Defendant's Motion to Renew Docket Entries 43 and 44** on the following non-registered participant via Certified Mail – Return Receipt Requested and by United States Postal Service:

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JUDY ENDERS/MADEN,)
v.)
Plaintiff,) C.A. No. 05-669-JJF
)
SUPER FRESH,)
Defendant.)

Order

AND NOW, upon consideration of **Defendant's Motion to Dismiss**, it is by the Court this _____ day of _____ 2007, **ORDERED** that:

Defendants' Motion to Renew Docket Entries 43 and 44 is hereby **GRANTED**.

United States District Judge